

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CANAL+ IMAGE UK Ltd., :
Plaintiff, : Case No. 10 CV 1536
-against- :
STEVEN LUTVAK and ROBERT L. : Holwell, J.
FREEDMAN, :
Defendants. : **DECLARATION OF BARRY I.**
 : **SLOTNICK IN SUPPORT OF**
 : **DEFENDANTS' MOTION TO DISMISS**
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Barry I. Slotnick, pursuant to 28 U.S.C. § 1746, hereby states as follows:

1. I am a member of the firm Loeb & Loeb LLP, attorneys for defendants Steven Lutvak and Robert L. Freedman (“Defendants”). I am fully familiar with the facts set forth herein, and respectfully submit this declaration in support of Defendants motion to dismiss the complaint in this action.
2. Annexed as Exhibit A hereto is a true and correct copy of the novel *Israel Rank: The Autobiography of a Criminal* (“Israel Rank”), by author Roy Horniman.
3. Annexed as Exhibit B hereto is a DVD containing a true and correct copy of the film *Kind Hearts and Coronets*.
4. Annexed as Exhibit C hereto is a true and correct copy of the script for *A Gentleman’s Guide to Love and Murder* (“Gentleman’s Guide”), a musical stage comedy based on Israel Rank, created by the Defendants.
5. Annexed as Exhibit D hereto is a CD containing a true and correct recording of songs and related musical elements from Gentleman’s Guide.

6. Annexed as Exhibit E hereto is a true and correct copy of the letter agreement, dated April 1, 2003, between plaintiff Canal+ Image UK Ltd. and defendant Steven Lutvak.

7. Attached as Exhibit F hereto is a true and correct copy of the cover and title pages of an alternate version of Israel Rank, indicating the novel's full title.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 2, 2010



Barry I. Slotnick